



MINUTES - VICTORIA CITY COUNCIL

August 5, 2021, 12:00 P.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT, 625 FISGARD STREET,
VICTORIA, B.C.

To be held immediately following the Committee of the Whole Meeting
The City of Victoria is located on the homelands of the Songhees and Esquimalt People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Andrew, ,
Councillor Isitt, Councillor Potts, Councillor Thornton-Joe,
Councillor Young

PRESENT
ELECTRONICALLY: Councillor Dubow, Councillor Loveday

PRESENT
ELECTRONICALLY
FOR A PORTION OF
THE MEETING: Councillor Andrew

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager /
Director of Finance, T. Zworski - City Solicitor, T. Soulliere -
Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of
Engagement, J. Jensen - Head of Human Resources, K. Hoese -
Director of Sustainable Planning and Community Development, A.
Meyer - Assistant Director of Development Services, A. Hudson -
Assistant Director of Community Planning, C. Havelka - Deputy City
Clerk, L. Van Den Dolder - Assistant City Solicitor, D. Atkinson -
Acting Fire Chief, J. O'Connor - Deputy Director of Finance, K.
Moore - Head of Business and Community Relations, C. Mycroft -
Manager of Executive Operations, N. Sidhu - Assistant Director of
Parks, Recreation & Facilities, J. Biem – Assistant City Solicitor, P.
Bellefontaine - Director of Engineering & Public Works, C. Kingsley
- City Clerk, G. Milne – Head of Strategic Operations, S. Stoltz -
Committee Secretary

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the Agenda be approved.

Amendment:

Moved By Councillor Dubow
Seconded By Councillor Alto

That the item E.1.d.b. Council Member Motion: Appoint Candidate to Police Board be added to the agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 "International Overdose Awareness Day" - August 31, 2021

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following proclamation be endorsed:

1. "International Overdose Awareness Day" - August 31, 2021

CARRIED UNANIMOUSLY

D.2 "Childhood Cancer Awareness Month" - September 2021

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "Childhood Cancer Awareness Month" - September 2021

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the July 15, 2021 COTW Meeting

E.1.a.a 903, 911, 1045 Yates, 910 View and 1205 Quadra: Rezoning App. No. 00730 for 903, 911, 1045 Yates, 910 View and 1205 Quadra and Associated OCP Amendment, Development Permit with Variances App. No. 00150 for 1045 Yates (London Drugs) (Harris Green)

Council discussed:

- *The need for consistency with respect to the height of the towers*

REZ No. 00730 for 903, 911 and 1045 Yates St, 910 View St and 1205 Quadra and Associated OCP Amendment

Moved By Councillor Alto
Seconded By Mayor Helps

That Council instruct staff to prepare the necessary Official Community Plan (OCP) Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00730 for 903, 911 and 1045 Yates Street, 910 View Street and 1205 and 1209 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1.
 - a. That at least 15% of the units, with at least one-third in the first phase of the development, achieve the median income of affordability in the city's housing affordability strategy.
 - b. revise the unit mix to reflect more 2-3 bedroom units for all phases
 - c. That the public plaza be mostly park-like green space and that a Development Permit for the plaza be submitted now with an expiration timed with the proposed build out of phase 2.
 - d. 5% accessible units across all phases of the development
 - e. That at least 450 square metres be designated for childcare
 - f. That noise mitigation be in place for all rooftop equipment
2. Minor plan revisions as detailed in concurrent Development Permit with Variances Application No. 00150.
3. Incorporation of the following additional design guidelines within the "900-Block Yates and 1045 Yates Urban Design Manual" to the satisfaction of the Director of Sustainable Planning and Community Development:
 - a. to ensure the design of the roof top mechanical structures contribute positively to the urban skyline in terms of visually interesting shapes and high-quality materials
 - b. to limit the number of towers to no more than three on the 900 block of Yates Street
 - c. to incorporate a minimum 2.5m setback from the fifth floor of the podium on Vancouver Street
 - d. to include the requirement for a mini-plaza no less than 100m² on the corner of Yates Street and Cook Street finished with high quality, durable materials
 - e. to provide specific reference to the requirement for wind mitigation interventions at the corner of Yates and Quadra

Streets and other affected areas as identified in the updated Wind Study

- f. to include the requirement for public art within the main plaza
 - g. to include standards for interim landscaping.
4. Updates to the Pedestrian Wind Study to reflect the proposal in relation to building heights, to the satisfaction of the Director of Sustainable Planning and Community Development.
 5. Updates to the Tenant Assistant Plan including further details related to information and communication with existing tenants to the satisfaction of the Director of Sustainable Planning and Community Development.
 6. Confirmation from BC Hydro that the relocating of services underground is not supported to the satisfaction of the Director of Sustainable Planning and Community Development.
 7. Preparation of the following legal agreements, executed by the applicant, in a form satisfactory to the City Solicitor, to:
 - a. Secure the rental units in perpetuity to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Secure the provision of the two-bedroom, three-bedroom and townhouse units generally in accordance with the Plans dated June 15, 2021, and a minimum of 23 units within Phase 1 as affordable in perpetuity and allocated to median income households as defined in the Victoria Housing Strategy to the satisfaction of the Director of Sustainable Planning and Community Development.
 - c. Restrict strata titling of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - d. Secure in perpetuity the provision and maintenance of a public plaza no less than 1600m² in size (minimum value to be verified by a Quantity Surveyor or other registered professional) centrally located on the 900 block between Yates and View Streets, which shall incorporate a high quality public art installation valued at no less than \$350,000, all of which will be provided concurrently with the construction of Phase 3 to the satisfaction of the Director of Sustainable Planning and Community Development.
 - e. Secure the provision of a daycare of approximately 185m² for a minimum period of 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.
 - f. Secure the provision of a minimum of four Energized Electric Vehicle Outlets (charging stations) plus a minimum of 90 stalls (subject to consultation with BC Hydro) with the necessary infrastructure to be converted to Energised Electric Vehicle Outlets in the future (EV Ready) to the satisfaction of the Director of Sustainable Planning and Community Development.

- g. Secure a Statutory Right of Way (SRW) for unobstructed public access over the plaza and an SRW of 0.9 metres along the Quadra Street frontage; terms and conditions to the satisfaction of the Director of Engineering and Public Works.
- h. Secure TDM measures for Phase 1 including three shared vehicle parking stalls, three shared vehicles, 169 car share memberships, and long term, end of trip facilities, and an equivalent provision for subsequent phases to be determined to the satisfaction of the Director of Engineering and Public Works.
- i. Secure the design, supply and installation of the City's Downtown Public Realm Plan and Streetscape Standards (DPRP), specifically the 'New Town District', including furnishings, materials, sidewalk scoring patterns, basalt banding and decorative heritage pedestrian lights, within the public plaza as well as along the Quadra Street, Yates Street, Vancouver Street, Cook Street and View Street frontages, to the satisfaction of the Director of Engineering and Public Works.
- j. Secure the detailed design, supply, and installation of a new traffic signal, with all associated hardware (poles, bases, junction boxes, conduits, loops, etc.) and software, at the intersection of Cook Street and View Street and in cooperation with adjacent concurrent developments to the satisfaction of the Director of Engineering and Public Works.
- k. Secure required traffic signal upgrades at the Yates Street and Cook Street intersection and required hardware (poles, bases, junction boxes, conduits, loops, etc.) and software upgrades to adjacent existing traffic signals that may be required as a result of lane configuration changes, as determined by City Engineering staff, to the satisfaction of the Director of Engineering and Public Works.
- l. Secure upgrades to the existing mid-block crosswalk, as necessary on the 900 block of Yates Street, to the satisfaction of the Director of Engineering and Public Works.
- m. Secure the design and installation of the two-way protected bike lane on Yates Street as detailed on the plans for the concurrent Development Permit with Variances Application No. 00150.
- n. Secure the provision of soil cells to achieve recommended soil volumes for all new street trees along the municipal frontage of Yates and View Streets to the satisfaction of the Director of Parks, Recreation and Facilities.
- o. Secure City of Victoria standard tree guards for all street trees in grates to the satisfaction of the Director of Parks, Recreation and Facilities.
- p. Secure the provision and installation of the proposed boulevard rain gardens on Yates Street and View Street,

- to the satisfaction of the Director of Engineering and Public Works and the Director of Parks, Recreation and Facilities.
- q. Secure the design, provision and installation of a stormwater management infiltration system along the municipal frontages of Quadra Street, Yates Street, Vancouver Street, Cook Street and View Street for treatment of road water runoff, to the satisfaction of the Director of Engineering and Public Works.
 - r. Secure requirement of a geotechnical report prior to application for a Building Permit including the implementation of recommendations from a qualified geotechnical engineer for City property surrounding the development site to the satisfaction of the Director of Engineering and Public Works and the Director of Parks, Recreation and Facilities.
8. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
- a. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - b. That Council specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
 - c. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - d. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those

- Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- e. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - f. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
9. That Council authorize the following encroachment agreements, to be executed at the time of the building permit approval, if the other necessary approvals are granted:
- a. excavation encroachments in the City property during construction for the parkade walls, at the fee of \$750 plus \$25 for each square metre of excavation face supported with anchor rods or shoring, with form and contents satisfactory to the City's solicitor and the Director of Engineering and Public Works.
 - b. anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Development Permit with Variances Application No. 00150 for 1045 Yates

That, subject to minor plan revisions to address the following:

- a. Further consideration of the design of the roof top structures including a reduction in height (with variance updated accordingly) and enhancements to the form and finishes to ensure consistency with the guidelines to the satisfaction of the Director of Sustainable Planning and Community Development.
- b. Incorporation of 2m guardrails on the roof terrace and any other wind mitigation measures that are recommended in the updated Pedestrian Wind Study to the satisfaction of the Director of Sustainable Planning and Community Development.
- c. Further consideration of the design of the public seating area at the intersection of Yates and Cook Street to ensure this space contributes positively to a vibrant streetscape experience to the satisfaction of the Director of Sustainable Planning and Community Development.
- d. Clarification of the window treatment along Yates and Cook Streets to ensure the proportion of clear glazing creates an active street edge and is consistent with the guidelines to the satisfaction of the Director of Sustainable Planning and Community Development.
- e. Further consideration to enhance the appearance of the west elevation and that practical maintenance can be achieved for the climbing vine system to the satisfaction of the Director of Sustainable Planning and Community Development.

- f. Clarification of the design of the garage doors on View Street to the satisfaction of the Director of Sustainable Planning and Community Development.
- g. Corrections to the paving patterns and street furnishings consistent with the Downtown Public Realm and Streetscape Plan to the satisfaction of the Director of Engineering and Public Works.
- h. Clarification of the details on the preliminary Utilities Plan to the satisfaction of the Director of Engineering and Public Works.
- i. Submission of an updated and corrected preliminary Electrical Plan to the satisfaction of the Director of Engineering and Public Works.
- j. Corrections to the road and curb alignment and lane configuration on View Street with associated updates to the traffic simulation models, to the satisfaction of the Director of Engineering and Public Works.
- k. Incorporation of additional building setback from the property line along Cook Street to ensure a minimum distance to any protrusion (including balconies) is no less than 1 m and greater than 1 m wherever possible to the satisfaction of the Director of Parks, Recreation and Facilities.
- l. Corrections to the landscape plan (or other relevant plan) to show all proposed trees to be removed and retained as well as proposed soil volumes for all new trees in beds and grates along Yates and View Streets to the satisfaction of the Director of Parks, Recreation and Facilities.
- m. Confirmation of whether CREST would be required to occupy equipment on the roof level for a new communication transmission site, to the satisfaction of the Fire Chief.
- n. Corrections to plans to ensure the compliance with the BC Building Code.

And that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00730, if it is approved, consider the following motion:

“That subject to receipt of a letter from the Ministry of Environment confirming that the landowner has met the requirements of Section 557(2) of the Local Government Act with respect to contaminated sites that Council authorize the issuance of Development Permit with Variances Application No. 00150 for 1045 Yates Street in accordance with:

- 1. Plans date stamped June 15, 2021.
- 2. Development meeting all Zoning Regulation Bylaw requirements except for the following variances:
 - i. Increase the maximum number of storeys from 20 to 21
 - ii. Increase the maximum height from 60m to 68.51m
 - iii. Increase the maximum height allowed for rooftop structure from 5.0m to 9.46m
 - iv. Reduce the required number of residential vehicle parking stalls from 316 stalls to 268 stalls

- v. Reduce the required number of residential visitor parking, commercial retail and daycare stalls from 117 stalls to 77 stalls
- vi. allow for 28 short term bicycle stalls to be located further than 15m of a public entrance
- 3. Final plans to be generally in accordance with plans date stamped June 15, 2021.
- 4. The Development Permit lapsing two years from the date of this resolution.”

FOR (5): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Loveday, Councillor Potts

OPPOSED (4): Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, Councillor Young

CARRIED (5 to 4)

E.1.b Report from the July 22 COTW Meeting

E.1.b.a Pre-Application Community Consultation Fees

Moved By Councillor Young
Seconded By Councillor Alto

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw to:

- a. increase the pre-application fees from \$750 to \$800 for rezoning application where notice is given to owners and occupiers of properties within 100 metres of the subject property
- b. increase the pre-application fees from \$1250 to \$2400 for Official Community Plan applications where notice is given to owners and occupiers of properties within 200 metres of the subject property.

CARRIED UNANIMOUSLY

E.1.b.b Council Member Motion: Letter to Pacheedaht First Nation

Moved By Councillor Andrew
Seconded By Councillor Alto

The City of Victoria write to the Pacheedaht First Nation acknowledging and respecting its right to govern its own assets, to reaffirm the city’s goal to engage in respectful and open dialogue towards reconciliation.

CARRIED UNANIMOUSLY

E.1.b.c Report back on Homelessness

Councillor Thornton-Joe recused herself at 3:49 p.m. due to a non-pecuniary conflict of interest as she is on the Aboriginal Coalition to End Homelessness.

Councillor Andrew requested that the motions be considered separately.

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council:

1. Receive the Report of the Homeless Advocate for information and endorse the recommendations within.

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts,
OPPOSED (2): Councillor Andrew, Councillor Young

CARRIED (6 to 2)

That Council:

2. Consider the approval for a full-time staff position in the 2022 budget with a focus on resolving systemic barriers to ending homelessness in the city.

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts,
OPPOSED (2): Councillor Andrew, Councillor Young

CARRIED (6 to 2)

That Council:

3. Review the funding and services agreement with the Greater Victoria Coalition to End Homelessness and consider providing an equitable amount of funding to the Aboriginal Coalition to End Homelessness in the 2022 budget

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, , Councillor Young
OPPOSED (1): Councillor Andrew

CARRIED (7 to 1)

4. That Council forward this report to the Attorney General and Minister Responsible for Housing, Minister of

Children and Family Development, Minister of Health, Minister of Mental Health and Addictions, Minister of Municipal Affairs, Minister of Social Development and Poverty Reduction, and MLAs representing constituencies in the CRD and mayor and councils of all municipalities in the CRD and all federal MPs within the region and the Federal Minister of Housing and Social Development and Federal Minister of Health and to the CRD Board.

CARRIED UNANIMOUSLY

That Council:

5. That Council direct staff to report back with legal advice on amendments to the OCP to recognize “housing is a human right” as a guiding value and vision of the City of Victoria’s Official Community Plan.

FOR (7): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Isitt

Seconded By Councillor Potts

That Council:

1. That Council request the Mayor to write to the Minister Responsible for Housing and local MLAs advocating for the Government of B.C. to establish a non-profit and co-operative housing acquisition strategy to be combined with tenant protections, to safeguard existing low-cost rental homes and expand the supply of deeply affordable housing;
2. And that Council request the Mayor write to the CRD and CRHC advocating for the consideration of the inclusion of the acquisition and operation of older rental stock as part of future affordable housing initiatives.

That Council direct staff to investigate potential ways to include rentals which are affordable due to the age of the building in the city's affordable rental update, to ensure minimal loss of affordable rental units.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned at 3:52 p.m.

E.1.b.d Village and Corridor Planning Phase 1 Summary, Draft Directions and Next Steps

Moved By Councillor Alto
Seconded By Councillor Potts

Councillor Isitt requested that the motions be considered separately.

That Council:

1. Receive the Village and Corridor Phase 1: Stage Two Engagement Summary (Attachment A) and the What's Proposed Executive Summary (Attachment B).

CARRIED UNANIMOUSLY

2. Work with the Downtown Blanshard Advisory Committee, the Fernwood Community Association, and the North Park Community Association to address concerns raised by those associations.

CARRIED UNANIMOUSLY

3. Direct staff to prepare draft neighbourhood plans and design guidelines based on directions provided in Planning Summary and Draft Directions reports (Attachments C, D, E, F) and begin the final stage of engagement to review, reassess and revise plans in accordance with the Stage Three Engagement Plan (Attachment G).

FOR (4): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts

OPPOSED (5): Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, Councillor Young

DEFEATED (4 to 5)

4. In addition to referral to other governments as directed by Council in September 2020, refer draft neighbourhood plans and design guidelines to the Advisory Design Panel and the Heritage Advisory Panel for comments.

FOR (7): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (2): Councillor Isitt, Councillor Young

CARRIED (7 to 2)

Mayor Helps recalled the vote on motion #3

3. Direct staff to prepare draft neighbourhood plans and design guidelines based on directions provided in Planning Summary and Draft Directions reports (Attachments C, D, E, F) and begin the final stage of engagement to review, reassess and revise plans in accordance with the Stage Three Engagement Plan (Attachment G).

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Dubow

Direct staff to engage neighborhood associations and the public on the policy directions outlined in the staff report and report back to the Committee of the Whole.

FOR (3): Councillor Dubow, Councillor Isitt, Councillor Young

OPPOSED (6): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

DEFEATED (3 to 6)

On #3:

3. Direct staff to prepare draft neighbourhood plans and design guidelines based on directions provided in Planning Summary and Draft Directions reports (Attachments C, D, E, F) and begin the final stage of engagement to review, reassess and revise plans in accordance with the Stage Three Engagement Plan (Attachment G).

FOR (6): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (3): Councillor Dubow, Councillor Isitt, Councillor Young

CARRIED (6 to 3)

Amendment:

Moved By Councillor Dubow

Seconded By Councillor Loveday

#5. That these letters from the Community Associations be received for information.

CARRIED UNANIMOUSLY

**E.1.b.e121 Menzies Street - Development Variance Permit
Application No. 00194 and Heritage Designation Application
No. 000162 Update Report**

Moved By Councillor Potts
Seconded By Councillor Alto

Development Permit with Variance Application No. 00194

“That Council authorize the issuance of Development Permit with Variance Application No. 00194 for 121 Menzies Street in accordance with:

1. Plans date stamped May 26, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. decrease the dwelling unit floor area (minimum) from 33.00m² to 14.79m²;
 - ii. locate the parking in the front yard;
 - iii. locate accessory buildings in the side yard;
 - iv. increase total site coverage from 40% to 42.30%;
 - v. increase the height of one accessory building from 3.50m to 4.41m;
 - vi. decrease the rear setback of an accessory building from 0.60m to 0.50m;
 - vii. decrease the side setback of accessory buildings from 0.60m to 0.40m;
 - viii. decrease the separation space between an accessory building and a principle building from 2.40m to 1.0m;
 - ix. increase the rear yard site coverage for an accessory building from 25.00% to 29.80%;
 - x. increase the combined floor area for an accessory building from 37.00m² to 41.61m².
3. The Development Permit lapsing two years from the date of this resolution.”

Heritage Designation Application No. 000162

That Council consider this updated motion with respect to Heritage Designation Application No. 000162:

“That Council give first and second reading of Heritage Designation Bylaw (Bylaw No. 21-038) be for Heritage Designation Application No. 000162 for 121 Menzies Street.”

FOR (8): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (8 to 1)

**E.1.b.f 440-450 Swift Street - Heritage Alteration Permit Application
No. 00246**

Moved By Councillor Alto
Seconded By Councillor Potts

That Council authorize the issuance of the Heritage Alteration Permit Application No. 00246 for 440-450 Swift Street in accordance with:

1. Plans, date stamped July 29, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution.

FOR (7): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Young
OPPOSED (2): Councillor Isitt, Councillor Thornton-Joe

CARRIED (7 to 2)

**E.1.b.g Pre-Application Community Consultation after the
COVID-19 Pandemic**

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw consistent with Option 1 outlined in this report, which would retain flexibility to alter processes during emergencies and revise the pre-application community consultation requirements that apply after the COVID-19 pandemic has ended, to require applicants to:

- install a pre-submission sign on site
- post plans to the Development Tracker (with an associated online comment form), and
- attend an in-person and/or online community meeting, at the discretion of the Community Association Land Use Committee.

That the recommendation and staff report be sent to CALUCs for comment.

CARRIED UNANIMOUSLY

Motion arising:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That Council direct staff to restore ordinary pre-Covid procedures around Council meeting procedures effective September 2021.

Council discussed:

- *Whether members of the public should be allowed to speak during daytime & nighttime Council meetings*

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Isitt

That Council direct staff to restore ordinary pre-covid procedures around council meeting procedures effective September 2021 **until the governance review determines permanent procedures.**

FOR (5): Mayor Helps, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (4): Councillor Andrew, Councillor Alto, Councillor Thornton-Joe, Councillor Young

CARRIED (5 to 4)

On the main motion as amended:

That Council direct staff to restore ordinary pre-Covid procedures around Council meeting procedures effective September 2021 until the governance review determines permanent procedures.

FOR (4): Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (5): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Thornton-Joe, Councillor Young

DEFEATED (4 to 5)

Motion arising:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council direct staff to institute delegations at daytime Council meetings as soon as practical.

FOR (7): Mayor Helps, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (2): Councillor Andrew, Councillor Alto,

CARRIED (7 to 2)

E.1.c Report from the July 29, 2021 COTW Meeting

E.1.c.a Missing Middle Housing Initiative

Mayor Helps called the question on each part of the recommendation separately.

Councillor Andrew left the meeting and began participating online at 4:18 p.m.

Council, by unanimous consent, considered the following motions:

1. That Council direct staff to:
 - a. Undertake broad consultation regarding policy and regulatory and delegated process options for enabling missing middle housing while mitigating trade-offs consistent with the approaches outlined in this report.

CARRIED UNANIMOUSLY

- b. Prepare amendments to the Official Community Plan 2012 (OCP) to better support missing middle housing forms, including the following changes:
 - i. Expand Development Permit Area (DPA) 15F to all properties designated Traditional Residential and update the Design Guidelines for Attached Residential Development.
 - ii. Increase the building height policies in the Traditional Residential designation from approximately two and two and a half storeys to approximately three storeys.
 - iii. Support up to 1.1:1 Floor Space Ratio (FSR).

FOR (5): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Loveday, Councillor Potts

OPPOSED (4): Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, Councillor Young

CARRIED (5 to 4)

- c. Consider consultation under section 475(2)(b) of the Local Government Act and direct staff to refer the Official Community Plan Amendment Bylaw to the Capital Regional District Board, School District 61, Township of Esquimalt, District of Saanich, the District of Oak Bay, the Songhees Nation, the Esquimalt Nation, Island Health, the Province of BC, and the Federal Government.

FOR (8): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

- d. Consider consultation under Sections 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation on the proposed amendments to the Official Community Plan 2012 in accordance with the consultation plan in Attachment A.

FOR (8): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

- e. Report back to Council with details of the feedback received, estimation of resource impacts, and seek instructions for drafting bylaw amendments.

CARRIED UNANIMOUSLY

- f. Continue to focus on finding innovative approaches to create new affordable rental and cooperative and ownership housing units.

CARRIED UNANIMOUSLY

E.1.c.b Council Procedure Bylaw Amendment – Bill 10

Moved By Councillor Alto

Seconded By Councillor Potts

That Council proceed with readings for the Council Procedures Bylaw, Amendment Bylaw No. 21-074, and that the recommendation and the bylaw be forwarded to the August 5, 2021 daytime Council meeting.

CARRIED UNANIMOUSLY

E.1.d August 5, 2021 COTW Report

E.1.d.a Encroachment Agreement for 247-271 Cook Street

Moved By Councillor Potts
Seconded By Councillor Alto

That Council:

1. Approve the City entering into an encroachment agreement with the property owner of 247-271 Cook Street to allow for certain structural (non-decorative) encroachments as detailed in this report over a portion of Cook Street, on terms and in a form satisfactory to the Director of Engineering and Public Works and the City Solicitor.

CARRIED UNANIMOUSLY

E.1.d.b. Council Member Motion: Appoint Candidate to Police Board

Moved By Councillor Dubow
Seconded By Councillor Potts

That Council

1. Request Legislative Services staff to begin selection of the City of Victoria appointee to the Victoria/Esquimalt police board.

CARRIED UNANIMOUSLY

Moved By Councillor Dubow
Seconded By Councillor Potts

2. Prioritize equity seeking groups in Council's selection and invite applications from all members of the public.

FOR (7): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (2): Councillor Thornton-Joe, Councillor Young

CARRIED (7 to 2)

Moved By Councillor Dubow
Seconded By Councillor Potts

3. All applicants must reside within the City of Victoria.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaw for 610-624 Herald Street and 611-635 Chatham Street

Councillor Isitt recused himself at 4:24 p.m. due to a non-pecuniary conflict of interest, as he is a member on the board of a society that occupies a space in proximity to this parcel.

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That the following bylaw **be given first, second, and third readings:**

- Housing Agreement (610-624 Herald Street and 611-635 Chatham Street) Bylaw (2021), No. 21-080

CARRIED UNANIMOUSLY

F.2 Bylaw for 1306-1330 Broad Street, 615-625 Johnson Street, and Parts of 622 and 630 Yates Street

Councillor Isitt returned to the meeting at 4:25 p.m.

Moved By Councillor Young
Seconded By Councillor Potts

That the following bylaw **be given first and second readings:**

- Zoning Bylaw 2018, Amendment Bylaw (No. 4), No. 21-075
- Heritage Designation (1314-134 Broad Street) Bylaw, No. 21-077
- Heritage Designation (615-625 Johnson Street) Bylaw, No. 21-078

Council discussed:

- *Design features and retention of heritage elements*

FOR (5): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Potts, Councillor Young

OPPOSED (4): Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe

CARRIED (5 to 4)

F.3 Bylaw for Council Procedures Bylaw

Moved By Councillor Alto
Seconded By Councillor Potts

That the following bylaw **be given first, second, and third readings:**
Council Procedures Bylaw, Amendment Bylaw (2021) No. 21-074

CARRIED UNANIMOUSLY

F.4 Bylaw for 11 Chown Place

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted**:

1. Housing Agreement (11 Chown Place) Bylaw (2021) No. 21-060

CARRIED UNANIMOUSLY

F.5 Bylaw for Solid Waste Bylaw Amendments for Curbside Comingled Organics Collection

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That the following bylaw **be adopted**:

1. Solid Waste Bylaw, Amendment Bylaw (No. 10) No. 21-063

Council discussed:

- *Concerns regarding sidewalk accessibility*
- *Potential need for secondary sizes of bins/data collection*

FOR (7): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (2): Councillor Dubow, Councillor Isitt

CARRIED (7 to 2)

G. NEW BUSINESS

G.1 Council Member Motion: Solid Waste Bylaw Amendment

Council received a Council Member Motion dated July 23, 2021 from Councillor Isitt regarding a proposed amendment to the Solid Waste Bylaw to permit the resumption of solid waste collection services for the James Bay Child Care Society.

Councillor Andrew returned to the meeting in person at 4:50 p.m.

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council amend the Solid Waste Bylaw 12-086 by adding a new section 4B: "The City may collect solid waste from non-residential properties where it is

practical to so do, including but not limited to child care centres and community centres.”

Motion to Refer:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council refer the matter to staff, to report back at the next triennial update on implications and options for restoring solid-waste collection service for the James Bay Child Care Society.

FOR (7): Councillor Andrew, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (2): Mayor Helps, Councillor Young

CARRIED (7 to 2)

Council agreed by unanimous consent to defer the remaining items on the agenda to the evening Council meeting.

P. ADJOURNMENT

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the meeting be adjourned at 5:01 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR